

United States Bankruptcy Court  
Middle District of Tennessee

In re:  
JAMES WHITFIELD LIVINGSTON  
Debtor

Case No. 20-03559-MFH  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0650-3  
Date Rcvd: Jan 05, 2022

User: ko8454  
Form ID: pdf001

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition                                                                                                                                                                                                                     |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 07, 2022:

| Recip ID | Recipient Name and Address                                           |
|----------|----------------------------------------------------------------------|
| db       | + JAMES WHITFIELD LIVINGSTON, PO BOX 91047, Nashville, TN 37209-9047 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

**NOTICE CERTIFICATION**

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 07, 2022

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 5, 2022 at the address(es) listed below:

| Name                          | Email Address                                                                                                                                                                                       |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GREGORY ROBERT ATWOOD         | on behalf of Creditor PNC Equipment Finance LLC gregatwoodlaw@gmail.com, ecf.amlaw@gmail.com                                                                                                        |
| HOLLY N KNIGHT                | on behalf of Creditor Branch Banking & Trust now Truist Bank hknight@knightlawpllc.com                                                                                                              |
| JUSTIN TIMOTHY CAMPBELL       | on behalf of Creditor Milessa Thomas justin@thompsonburton.com                                                                                                                                      |
| KEVIN J JONES                 | on behalf of Creditor FIRST HERITAGE CREDIT kevin@kjjlaw.com                                                                                                                                        |
| LEFKOVITZ AND LEFKOVITZ, PLLC | on behalf of Debtor JAMES WHITFIELD LIVINGSTON slefkovitz@lefkovitz.com<br>sllbkecf@gmail.com;khancock@lefkovitz.com;lefkovitzcvlecf@lefkovitz.com;r52946@notify.bestcase.com;mspezia@lefkovitz.com |

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MATTHEW R MURPHY  
on behalf of Creditor SYNOVUS BANK mmurphy@smythehuff.com

PRA Receivables Management, LLC  
claims@recoverycorp.com

ROBERT H WALDSCHMIDT  
on behalf of Trustee ROBERT H. WALDSCHMIDT rhw@rhwlawoffice.com rhw@trustesolutions.com;rhw@trustesolutions.net

ROBERT H. WALDSCHMIDT  
trustee@rhwlawoffice.com rhw@trustesolutions.com;rhw@trustesolutions.net

US TRUSTEE  
ustpreion08.na.ecf@usdoj.gov

WILLIAM ANDREW BOBO  
on behalf of Creditor Farm Credit Mid-America FLCA abobo@bobohuntandwhite.com

TOTAL: 11

Dated: 1/5/2022

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

|                                                  |   |                           |
|--------------------------------------------------|---|---------------------------|
| <b>IN RE:</b>                                    | ) |                           |
|                                                  | ) | <b>Case No.: 20-03559</b> |
| <b>James Whitfield Livingston,</b>               | ) | <b>Chapter 7</b>          |
| <b>Debtor.</b>                                   | ) | <b>Judge Harrison</b>     |
|                                                  | ) |                           |
| <b>PNC Equipment Finance, LLC,</b>               | ) |                           |
| <b>Movant.</b>                                   | ) |                           |
| <b>v.</b>                                        | ) |                           |
| <b>James Whitfield Livingston and</b>            | ) |                           |
| <b>Robert H. Waldschmidt, Chapter 7 Trustee,</b> | ) |                           |
| <b>Respondents.</b>                              | ) |                           |

Secured Creditor: PNC Equipment Finance, LLC

Affected Collateral: 2018 Bobcat T650 Compact Track Loader, SN#: ALJG26212.

**AGREED ORDER GRANTING RELIEF FROM AUTOMATIC STAY**  
**AND ABANDONMENT**

The Secured Claimant identified above has moved for relief from the automatic stay in 11 U.S.C. § 362(a) with respect to the Affected Collateral. The only timely opposition filed by the Trustee is being resolved through this order.

IT IS THEREFORE ORDERED that the automatic stay in 11 U.S.C. § 362(a) is terminated with respect to the Secured Claimant and its Affected Collateral.

IT IS FURTHER ORDERED that the Trustee abandons the Affected Collateral (to the extent described below) as burdensome or of inconsequential value to the estate pursuant to 11 U.S.C. § 554 and L.B.R. 6007-1(b).

IT IS FURTHER ORDERED that the Trustee, by and through his signature below, hereby abandons the actual property which is subject to the security interest of the secured claimant, and further abandons the proceeds from the sale of said property, but only to the extent of the amount of the secured claim; in the event there are any surplus funds, or if the sale of the property results in funds in excess of the amount of the secured claim, then said excess proceeds

shall continue to be property of the bankruptcy estate, are not abandoned herein, and shall be turned over to the Trustee by the secured claimant.

IT IS FURTHER ORDERED that the stay in FED R. BANKR. P. 4001(a)(3) does not apply.

*This order was signed and entered electronically as indicated at the top of the first page.*

APPROVED FOR ENTRY:

/s/Gregory R. Atwood

Gregory R. Atwood, REG NO. 24296

Attorney for Movant

6953 Charlotte Pike, Ste. 401

Nashville, TN 37209

615-354-1995

[gregatwoodlaw@gmail.com](mailto:gregatwoodlaw@gmail.com)

/s/ Robert H. Waldschmidt

**ROBERT H. WALDSCHMIDT, #4657**

Trustee

P.O. Box 2828

Brentwood, TN 37024-2828

(615) 468-1020; (615) 259-2179 (fax)

[rhwl@rhwlawoffice.com](mailto:rhwl@rhwlawoffice.com)

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.  
United States Bankruptcy Court.